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11 **UNITED STATES DISTRICT COURT**
12 **FOR THE CENTRAL DISTRICT OF CALIFORNIA**

14 CHANGE LENDING, LLC,
15 Plaintiff,

16 v.

17 UNITED STATES DEPARTMENT OF
18 TREASURY, COMMUNITY
19 DEVELOPMENT FINANCIAL
20 INSTITUTIONS FUND,
21 Defendant.

Case No. 8:23-cv-01626-JVS-PVC

**STIPULATION TO EXTEND
DEADLINES**

BEFORE: HON. JAMES V. SELNA

22 IT IS HEREBY STIPULATED AND AGREED by and between Plaintiff
23 Change Lending, LLC, and the United States Department of Treasury, Community
24 Development Financial Institutions Fund (“CDFI Fund” or Defendant), by and
25 through their respective counsel, that the deadlines for briefing on Plaintiff’s Ex Parte
26 Application for a Temporary Restraining Order and an Order to Show Cause Why a
27 Preliminary Injunction Should Not Issue (ECF 8) (“Application”) shall be extended
28 as follows: (i) CDFI Fund shall file their opposition, if any, to the Application by

1 November 17, 2023, extended from September 11, 2023; (ii) Change Lending may
2 make any further filing in support of the Application by December 1, 2023, extended
3 from September 14, 2023; and (iii) the parties shall appear for a hearing on the
4 Application at the convenience of and as scheduled by the Court. In an exercise of
5 their administrative discretion, and consistent with item (4) below, Defendant further
6 consents to an extension of the September 1, 2023, Temporary Restraining Order
7 (ECF 11) until such time as the Court rules on the Preliminary Injunction, or other
8 relief is granted. The parties further stipulate that, pursuant to Fed. R. Civ. P.
9 12(a)(4)(A), Defendant's deadline for responsive pleadings shall run from the date
10 of the Court's entry of an order on the preliminary injunction (with Defendant
11 afforded 30 days to respond to the Complaint (ECF 1) from any such preliminary
12 injunction order date), or as otherwise ordered by the Court. Good cause exists for
13 the requested extension, as set forth below:

- 14 1. Plaintiff disputes that, at any time, it did not meet the criteria to qualify as a
15 certified CDFI.
- 16 2. Plaintiff filed their Complaint (ECF 1) and Application (ECF 8) on August 30,
17 2023.
- 18 3. The Court entered in favor of Plaintiff a Temporary Restraining Order and
19 Order to Show Cause Why a Preliminary Injunction Should Not Issue (ECF
20 11) ("TRO") on September 1, 2023.
- 21 4. The TRO ordered that Defendant, and all of its representative agents,
22 employees, or attorneys, are restrained and enjoined from implementing or
23 enforcing its determination to decertify Change Lending as a Community
24 Development Financial Institution as set forth in Defendant's notice of
25 decertification dated August 17, 2023.
- 26 5. The parties agree as a consequence of the Court's issuance of the TRO (ECF
27 11), that Plaintiff remains an active and certified CDFI.

- 1 6. The TRO set the following deadlines: Plaintiff was to effect service of the
2 Application and Complaint no later than 6 p.m. PDT September 5, 2023, and
3 file proof thereof no later than September 7, 2023; Defendant was to file an
4 opposition to the Application no later than noon PDT September 11, 2023;
5 Plaintiff was to make any further filing in support of the Application no later
6 than 9 a.m. PDT September 14, 2023; and the parties were to appear for a
7 hearing on the Application at 9 a.m. PDT on September 15, 2023.
- 8 7. In compliance with the TRO, the CDFI Fund shall not implement or enforce
9 its determination to decertify Change Lending as a Community Development
10 Financial Institution as set forth in CDFI Fund's notice of decertification dated
11 August 17, 2023. This includes, but is not limited to, updating the CDFI Fund's
12 list of certified community development financial institutions ("List") to
13 include Change Lending, LLC, on the CDFI Fund's public website.
- 14 8. The Parties agree that CDFI Fund's actions do not prohibit Plaintiff from
15 continuing to make loans to consumers, and there shall be no actions taken by
16 the Parties to retroactively decertify Plaintiff, for the period covered by the
17 TRO or this Agreement. For clarity such period shall end based on a resolution
18 of this matter by the Parties or a ruling by the Court on the Preliminary
19 Injunction.
- 20 9. To the extent any matters raised in this lawsuit are resolved, or do not require
21 motion practice and a ruling by this Court, the parties will so advise the Court.
- 22 10. Accordingly, the parties stipulate and respectfully request that the deadlines be
23 extended as listed above.

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25 DATED: September 8, 2023

26 Respectfully submitted,

27 BRIAN M. BOYNTON
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*All signatories listed, other than the filer,
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concur in the filing's content and have
authorized the filing.